

SENATE BILL 871

E2

2lr1814
CF HB 591

By: **Senator Colburn**

Introduced and read first time: February 3, 2012

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Community–Based Organizations – Registered Sex**
3 **Offender Prohibition**

4 FOR the purpose of prohibiting certain registrants from entering onto real property
5 that is owned or operated by a community–based organization that provides
6 recreational activities for children under certain circumstances; and generally
7 relating to registered sex offender prohibitions and community–based
8 organizations.

9 BY repealing and reenacting, with amendments,
10 Article – Criminal Procedure
11 Section 11–722
12 Annotated Code of Maryland
13 (2008 Replacement Volume and 2011 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Criminal Procedure**

17 11–722.

18 (a) This section does not apply to a registrant who enters real property:

19 (1) where the registrant is a student or the registrant’s child is a
20 student or receives child care, if:

21 (i) within the past year the registrant has been given the
22 specific written permission of the Superintendent of Schools, the local school board,
23 the principal of the school, or the owner or operator of the registered family child care

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 home, licensed child care home, [or] licensed child care institution, OR
2 **COMMUNITY-BASED ORGANIZATION**, as applicable; and

3 (ii) the registrant promptly notifies an agent or employee of the
4 school, home, [or] institution, **OR ORGANIZATION** of the registrant's presence and
5 purpose of visit; or

6 (2) for the purpose of voting at a school on an election day in the State
7 if the registrant is properly registered to vote and the registrant's polling place is at
8 the school.

9 (b) A registrant may not knowingly enter onto real property:

10 (1) that is used for public or nonpublic elementary or secondary
11 education; [or]

12 (2) on which is located:

13 (i) a family child care home registered under Title 5, Subtitle 5
14 of the Family Law Article; or

15 (ii) a child care home or a child care institution licensed under
16 Title 5, Subtitle 5 of the Family Law Article; **OR**

17 **(3) THAT IS OWNED OR OPERATED BY A COMMUNITY-BASED**
18 **ORGANIZATION THAT PROVIDES RECREATIONAL ACTIVITIES FOR CHILDREN.**

19 (c) A person who enters into a contract with a county board of education or a
20 nonpublic school may not knowingly employ an individual to work at a school if the
21 individual is a registrant.

22 (d) A person who violates this section is guilty of a misdemeanor and on
23 conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding
24 \$5,000 or both.

25 **SECTION 2. AND BE IT FURTHER ENACTED**, That this Act shall take effect
26 October 1, 2012.